

1 PHILLIP A. TALBERT
2 United States Attorney
3 CHRISTOPHER D. BAKER
4 Assistant United States Attorney
5 4550 California Ave., Suite 640
6 Bakersfield, CA 93309
7 Telephone: (661) 489-6150
8 Facsimile: (661) 489-6151

9
10 Attorneys for Plaintiff
11 United States of America

12
13 IN THE UNITED STATES DISTRICT COURT
14 EASTERN DISTRICT OF CALIFORNIA

15 UNITED STATES OF AMERICA,
16 Plaintiff,
17 v.
18 SPENCER MANNING,
19 Defendant.

CASE NO. 1:21-CR-00297-JLT-SKO
STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER
DATE: March 30, 2022
TIME: 1:00 p.m.
COURT: Hon. Magistrate Judge Sheila K. Oberto

20
21 STIPULATION

22 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
23 through defendant's counsel of record, hereby stipulate as follows:

- 24 1. By previous order, this matter was scheduled for a status conference on March 30, 2022.
25 2. By this stipulation, the parties move to continue the status conference until June 1, 2022,
26 or the Court's earliest convenience, and to exclude time from calculation under the Speedy Trial Act
27 between March 30, 2022, and June 1, 2022.

- 28 3. The parties agree and stipulate, and request that the Court find the following:
29 a) Initial discovery was provided to defendant on or about December 22, 2021,
30 consisting of 144 Bates-stamped items consisting of reports of investigation, body worn camera
31 recordings, photographs, certified conviction records and a summary of defendant's criminal
32 history.

1 b) Counsel for defendant desires additional time to review discovery, consult with
2 her client, conduct investigation and research related to the charges, and to otherwise prepare for
3 trial.

4 c) Counsel for defendant believes that failure to grant the above-requested
5 continuance would deny her the reasonable time necessary for effective preparation, taking into
6 account the exercise of due diligence.

7 d) Based on the above-stated findings, the ends of justice served by continuing the
8 case as requested outweigh the interest of the public and the defendant in a trial within the
9 original date prescribed by the Speedy Trial Act.

10 e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
11 et seq., within which trial must commence, the time period of March 30, 2022 to June 1, 2022,
12 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv), because it results
13 from a continuance granted by the Court request on the basis of the Court's finding that the ends
14 of justice served by taking such action outweigh the best interest of the public and the defendant
15 in a speedy trial.

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23

24

25

26

27

28

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act provide that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: March 21, 2022

PHILLIP A. TALBERT
United States Attorney

/s/ CHRISTOPHER D. BAKER
CHRISTOPHER D. BAKER
Assistant United States Attorney

Dated: March 21, 2022

/s/ MAI S. SHAWWA
MAI S. SHAWWA
Counsel for Defendant
SPENCER MANNING

ORDER

IT IS SO ORDERED.

DATED: 3/22/2022

Sheila K. Oberto

THE HONORABLE SHEILA K. OBERTO
UNITED STATES MAGISTRATE JUDGE